

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
J.T., et al., : CASE NO. 20-cv-05878 (CM)  
Plaintiffs, :  
-against- : **NOTICE OF MOTION TO DISMISS**  
Bill de Blasio, et al., : **UNDER FED. R. CIV. P. 12(B)(1), (2), (3),**  
Defendants. : **AND (6)**  
----- X

PLEASE TAKE NOTICE that for the reasons more fully explained in the accompanying Brief in Support of Defendant Omaha Public School District's ("OPS") Motion to Dismiss, OPS, by and through its counsel of record, moves the Court for an order dismissing OPS and the claims against it under Rules 12(b)(1), (2), (3), and (6) of the Federal Rules of Civil Procedure.

Dated: Omaha, Nebraska.  
October 19, 2020

Respectfully submitted,  
Jeremiah C. Hollembeak

By: /s/ Jeremiah C. Hollembeak  
Jeremiah C. Hollembeak,  
Attorney for Defendant  
Omaha Public School District

Baird Holm LLP  
1700 Farnam Street  
Suite 1500  
Omaha, NE 68102-2068  
402-344-0500

**CERTIFICATION**

I certify that on October 19, 2020, I caused the foregoing Motion to Dismiss to be filed on the docket in the above-captioned case through the Court's Electronic Case Filing (ECF) System. In accordance with Section 9.1 of the SDNY Case Filing Rules & Instructions, service was completed when such filing triggered an automatic notification of electronic filing of the Motion to Dismiss to be sent to all counsel of record by electronic mail. This filing can be accessed on the case docket via ECF.

\_\_\_\_\_  
/s/ Jeremiah C. Hollembaek

DOCS/2543229.3